## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE.

**Applicants** 

Merrit N. Jacobs, Ronald F. Brookes, Zhong Ding

Serial No.

TBD

Art Unit:

Filed

November 6, 2001

Examiner:

For

ASPIRATING AND MIXING OF LIQUIDS WITHIN A PROBE TIP

Commissioner for Patents Washington, D.C. 20231

## INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

In accordance with \$1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under \$1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in \$1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under \$1.114, no additional fee is required.

#3



Docket No: CDS-255

	In acco	ordance with §1.129(a), this Information Disclosure Statement is be-	ing filed
in connection v	vith 🔲	the first or second After Final Submission, therefore:	
		Statement in Accordance with §1.97(e) (attached); or	
		Please charge Deposit Account No. 10-0750/ / the fee of	\$180.00
		as set forth in §1.17(p).	
	In acco	ordance with §1.97(c), this Information Disclosure Statement is bein	ng filed
after the period	l set fort	th in §1.97(b) above but before the mailing date of either a Final Ac	tion
		tice of Allowance under §1.311, or an action that otherwise closes	
		is accompanied by one of:	
•		Statement in Accordance with §1.97(e) (attached); or	
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		as set forth in §1.17(p).	
	In acco	ordance with §1.97(d), this Information Disclosure Statement is bei	ng filed
after the mailir	ng date o	of either a Final Action under §1.113 or a Notice of Allowance und	er
§1.311 but be	fore the	payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration	deration
of this Informa	ation Dis	sclosure Statement. Included are: Statement in Accordance with §	1.97(e) as
set forth below	v and the	ue fee of \$180.00 as set forth in §1.17(p).	
$\boxtimes$		es of each of the references listed on the attached Form PTO-1449 at	re
enclosed herev	with.		
	Copie	es of references listed on the attached Form PTO-1449 are enclosed	herewith
EXCEPT TH	AT:		
		In view of the voluminous nature of references [list as appropriate	
		likelihood that these references are available to the Examiner, cop	oies are not
		enclosed herewith.	

Docket No: CDS-255

		If any of the foregoing publications are not available to the Examiner,  Applicant will endeavor to supply copies at the Examiner's request.
		There are no listed references which are not in the English language.
follow	⊠ s: <i>EP 0</i>	The relevance of those listed references which are not in the English language is as 849 584 (per attached English language abstract)
which	are liste	Attached are copies of search report(s) from corresponding patent application(s), d on the attached Submission Under MPEP 609 D.
deeme	☐ d releva	Attached are the following non-published pending patent applications which may be nt, which are listed on the attached Submission Under MPEP 609 D.
	Please	charge any deficiency or credit any overpayment to Deposit Account No. 10-
0750/0	CDS-25	5/TFV. This form is submitted in triplicate.  Respectfully submitted,
		Told F. Volyn Reg. No. 37463 Attorney for Applicants

Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933-7003
(732) 524-6202

DATED: November 6, 2001

PTO/SB/08A (08-00)
Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary) Sheet 1 of 1

a collection of information unless it displays a valid Own control number.					
Application Number	TBD				
Filing Date	November <u>6, 2</u> 001				
First Named Inventor	Jacobs et a				
Group Art Unit					
Examiner Name	a 60				
Attorney Docket Number	CDS <b>et</b>				

			U.S. PATENT DOCUMENTS		M		
			U.S. Patent Doo		Name of Patentee or Applicant	Date of Publication	ges, demans, Lines,
Cite No. <sup>1</sup>	Number	Kind Code <sup>2</sup> (if known)	of Cited Document	of Cited Document mm-dd-yyyy	where relevant passages or relevant figures appear		
	5,821,436		Bienhaus et al.	10/13/1998			
	4,780,418		Michael Kratzer	10/25/1998			
	5,174,162		Miyake et al.	12/29/1992			
	5,773,305 5,441,895		Zabetakis et al.	6/30/1998			
			Jakubowicz et al.	8/15/1995			
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	Cite No.¹	Cite No.1 Number 5,821,436 4,780,418 5,174,162 5,773,305	No.¹ Number (if known)  5,821,436  4,780,418  5,174,162  5,773,305	Cite No.¹ Number Kind Code² Number (if known)  5,821,436 Bienhaus et al.  4,780,418 Michael Kratzer  5,174,162 Miyake et al.  5,773,305 Zabetakis et al.	U.S. Patent Document           Cite No.¹         Kind Code² (if known)         Name of Patentee or Applicant of Cited Document         Date of Publication of Cited Document mm-dd-yyyy           5,821,436         Bienhaus et al.         10/13/1998           4,780,418         Michael Kratzer         10/25/1998           5,174,162         Miyake et al.         12/29/1992           5,773,305         Zabetakis et al.         6/30/1998		

		Foreign	Patent Docum	nent	Name of Patentee or	Date of Publication of Cited Document	Pages, Columns, Lines, where relevant	
Examiner Initials	Cite No. <sup>1</sup>	Office <sup>3</sup>	Number <sup>4</sup>	KindCode <sup>5</sup>	Applicant of Cited Document	mm-dd-yyyy	passages or relevant figures appear	T°
		EP	0 849 584 (English Abstract Attached	A	Paul Meller	6/24/1998		
		EP	0 005 979	A	David Hebert Leaback	12/12/1979		

	Date	i
Examiner		4
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Unique citation designation number. 2 See attached Kinds of U.S. Patent Documents. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. e Applicant is to place a check mark here if English language Translation is attached.

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## SUBMISSION UNDER MPEP 609 D

Application Number TBD
Filing Date Nobember 6, 2001
First Named Inventor Jacobs et al.

Group Art Unit
Examiner Name
Attorney Docket Number CDS-255

Page 1 of 1

			U.S. Patent Docum	ent		
Examiner Initials	Cite No.1	Name of Patentee or Applicant of Cited Document	Number	Kind Code <sup>2</sup> (if known)	Pages, Columns, Lines, where relevant passages or relevant figures appear	
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		FOREIGI	PATENT	DOCUME	NTS		
Examiner Initials	Cite No. <sup>1</sup>	Name of Patentee or Applicant of Cited Document	Foreign Pa	atent Docum	nent KindCode <sup>5</sup>	Pages, Columns, Lines, where relevant passages or relevant figures appear	T <sup>©</sup>
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		OTHER PRIOR ART - N	ON PATENT	LITERATI	IRE DOCUME	NTS	
Examiner 's Initials*	Cite No.1	Include name of the author (in C title of the item (book, magazine volume-issue number(s	e, journal, se s), publishe	erial, symp r, city and/	oosium, catalo or country wh	og, etc.), date, page(s), nere published	T²
		Search Report for corresponding app February 28, 2001	lication numb	ber EP 00 3	30 1086; Date	of completion of the search	
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